

ENTERED

February 20, 2019

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE TEXAS**

LEWIS CARRIER,
Plaintiff,

v.

TRICO PRODUCTS CORPORATION,
Defendant.

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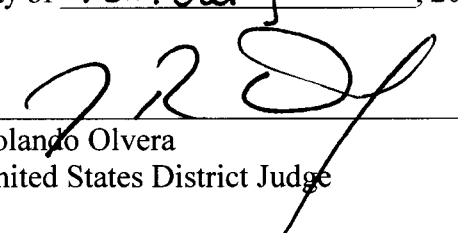
Civil Action No. 1:17-cv-00248

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Before the Court is the "Magistrate Judge's Report and Recommendation" (hereafter the "R&R") (Docket No. 38), in the above-captioned case. The R&R recommended the Court grant Trico Products Corporation's (hereafter "Defendant") "Defendant's [First] Motion for Summary Judgment" (Docket No. 10) and deny "Defendant's Second Motion for Summary Judgment" (Docket No. 33) as moot. *See* Docket No. 38 at 16. In the alternative, the R&R recommended the Court grant Defendant's Second Motion for Summary Judgment (Docket No. 33) and deny Defendant's First Motion for Summary Judgment (Docket No. 10) as moot. *See id.* Plaintiff timely filed "Plaintiff's Objections to Magistrate Judge's Report and Recommendation" (hereafter "Plaintiff's Objections") (Docket No. 39). In turn, Defendant filed a response (Docket No. 40) to Plaintiff's Objections.

After a *de novo* review of the record, the R&R is hereby **ADOPTED**. Defendant's First Motion for Summary Judgment (Docket No. 10) is **GRANTED**. Defendant's Second Motion for Summary Judgment is **DENIED as moot**. Plaintiff's Objections are **OVERRULED**. Plaintiff's claims against Defendant are hereby **DISMISSED WITH PREJUDICE**. The Clerk of the Court is **ORDERED** to close this case.

Signed on this 20th day of February, 2019.



Rolando Olvera
United States District Judge